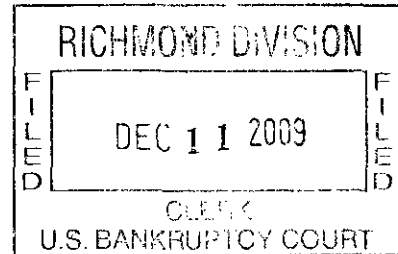


UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:) Chapter 11
)
CIRCUIT CITY STORES, INC., et al.,) Case No. **08-35653**
)
Debtors.) Jointly Administered
)
_____)
)
Ashley Isaac, *Pro Se*, ON BEHALF OF HERSELF)
)
Movant,)
)
v.)
)
CIRCUIT CITY STORES, INC.,)
)
Debtor.)



**ASHLEY ISAAC'S RESPONSE AND MOTION
TO THE DEBTORS' SIXTEENTH OMNIBUS OBJECTION
TO CLAIMS (DISALLOWANCE OF CERTAIN CLAIMS (I) NO
LIABILITY (LEGAL CLAIMS); (II) NO LIABILITY
MISCELLANEOUS CLAIMS (III) NO LIABILITY
(SUBCONTRACTOR CLAIMS))**

Comes now, Movant, Ashley Isaac in the above style and cause and moves this Court with a response and motion to the debtors' sixteenth omnibus objection to claims (disallowance of certain claims (I) no liability (legal claims); (II) no liability miscellaneous claims (III) no liability subcontractors, and moves this Court in pursuant to sections 762 and Section 501 of Chapter 11 of the United State Code and Federal Rules of Bankruptcy Procedure, and states the following:

JURISDICTION AND VENUE

1. This Court has original jurisdiction to consider this Motion under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. §157(b). Venue in these cases and this Motion in this district is proper under 28 U.S.C. §§ 1408 and 1409

RESPONSE TO OBJECTION

2. In response to the Debtors Sixteenth Omnibus Objection, Ashley Isaac, the Movant, states that she was not provided adequate notice of the claims bar date required under the United States Bankruptcy Code and Federal Rules of Bankruptcy Procedure. See, In re: Eagle Bus Mfg., Inc., et al., Debtors. Greyhound Lines, Inc., Appellant, v. Donna Rogers, et al., Appellees.

3. The Notice by Publication Federal Rule of Bankruptcy 9008 applies to unknown creditors and the Debtor is required to serve all known creditors. The failure to file a timely proof of claim was a result of *excusable neglect* Rule 9006 (b)(1). If notice of the bar date was ambiguous and/or a creditor was not served, warranting allowance of a late claim, does not prejudice the debtor by delay. See, Pioneer Inv. Servs. Co. v. Brunswick Assoc. Ltd. P'ship.

CONCLUSION

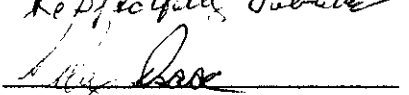
Wherefore, premises considered, the plaintiff respectfully prays that this

Court:

(a) allow the late filing of the proof of claim of Ashley Isaac as an excusable neglect in pursuant to Rule 9006.

(b) grant the Movant lost wages.

December 10, 2009

Respectfully Submited


Ashley Isaac

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: CIRCUIT CITY STORES, INC., et al)
)
) Case No. 08-35653
) Chapter 11
Debtor

NOTICE OF MOTION (OR OBJECTION)

Ashley Isaac has filed papers with the court to file a Response
To The Debtors Sixteenth Omnibus Objection.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion (or objection), or if you want the court to consider your views on the motion (or objection), then on or before _____, you or your attorney must:

- ☐ File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA.

You must also mail a copy to:

Gregg M. Galardi, Esq. Skadden, Arps, Slate, Meagher & Flom LLP
One Rodney Square PO Box 636
Wilmington, DE 19899-0636

- ☐ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing**

- ☐ Attend the hearing on the motion (or objection) scheduled to be held on December 21 2009 at 10:00 a m. at United States Bankruptcy Court, For The Eastern District Of Virginia Richmond Division
701 E. Broad Street, Richmond, VA.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: December 10, 2009

Signature, name, address and telephone number
of person giving notice:

Ashley Isaac
613 76th Street South
Birmingham, AL.
Virginia State Bar No. _____
Counsel for _____

Certificate of Service

I hereby certify that I have this 10 day of December, 20 09, mailed or hand-delivered a true copy of the foregoing Notice of Motion (or Objection) to the parties listed on the attached service list.

